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April 17, 2023

VIA ECF

The Honorable Sarah Netburn
United States Magistrate Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)
Ashton et al. v. al Qaeda Islamic Army, et al., No. 02-cv-06977

Dear Judge Netburn:

We represent the *Ashton* group of plaintiffs, including those individuals whose Motions to Amend/Correct this Court previously granted. *See* ECF 8713 *et seq.* (Motion to Amend/Correct as corrected by ECF 8718); ECF 8721, 8729 (granting relief). The Order granting the *Ashton* plaintiffs relief amended their Sixth Amended Complaint (02-cv-6977) to include those parties identified in the MDL ECF Nos. 8719-1 and 8719-2. *See* ECF 8729 (minute entry).

Subsequently, our office has attempted to add those individuals listed in ECF Nos. 8719-1 and 8719-2 by name to the docket, first attempting to add them on the individual civil docket (02-cv-6977) and when that was not possible then trying on the MDL docket. We have had a series of communications with the Miscellaneous Case Operations staff for the Southern District of New York and they have worked with us in trying to troubleshoot this process. Unfortunately, even when trying what the Case Operations team suggested (different browsers; filing at off-peak hours such as the weekend or at night, when filing traffic is slow; adding a single party at a time during one filing event), we continue to find that the ECF/CM system times us out at the exact same filing stage, with the same “error 404” message interrupting the process.

To the extent there may be a solution to this problem that would allow our firm to handle the labor of adding the plaintiffs to the docket maintained on ECF/CM, we are eager to do so. For now, however, we seem to have problems with the process that we cannot resolve without ongoing coordination with the Court or the Case Operations department. We look forward to any suggestions Court staff may have on how to proceed.

Respectfully,

KREINDLER & KREINDLER LLP

By: /s/ Megan W. Benett
Megan W. Benett, Esq.
Attorneys for Ashton Plaintiffs